

REMARKS

This Reply is filed in response to the May 29, 2009 Office Action.¹ Claims 1-20 were presented for examination and were rejected. Claims 1, 7, 13, 18 and 20 are in independent form and each is amended. Support for the amendments can be found in the application as filed. See, for example, at least paragraphs 20, 43, 46, 47 and 58. Claims 1-20 are pending.

Claims 1-5 and 7-11 are rejected under 35 U.S.C. §103(a), as being un-patentable over Lue Chee Lip et al. (U.S. 2002/0099794 A1; hereinafter “Lip”) in view of newly-cited Nguyen et al. (U.S. 7,523,385; hereinafter “Nguyen”). Claims 6 and 12 are rejected under 35 U.S.C. §103(a), as being un-patentable over Lip in view of Nguyen as applied to claims 1-5 and 7-11, further in view of Williams (U.S. 2004/0243435; hereinafter “Williams”). Claims 13-17 are also rejected under 35 U.S.C. §103(a) as being un-patentable over Lip in view of Nguyen and Williams. Lastly, claims 18 -20 are rejected under 35 U.S.C. §103(a) as being un-patentable over Nguyen in view of Lip and Williams. These rejections are traversed because these references, taken individually or in any reasonable combination, do not disclose or suggest the subject matter recited in Applicants’ claims for at least the following reasons.

In overview, Applicants’ claimed subject matter and disclosure relate, at least in part, to an incarcerated inmate being able to arrange for a group visitation by a group of people by contacting one of those people (e.g., his attorney) and supplying him/her with the names and contact information of the others in that group. The attorney can thereafter attempt to register himself and the other members in the invited group to gain authorization for himself and the others to make that visitation. By contrast, Nguyen relates to scheduling events through a

¹ The Office Action may contain a number of statements characterizing the cited references and/or the claims which Applicants may not expressly identify herein. Regardless of whether or not any such statement is identified herein, Applicants do not automatically subscribe to, or acquiesce in, any such statement.

system user, the events being attended by people who may invite their own guests under certain circumstances and within certain limitations. Whereas *Applicants' inmate supplies the names of all of the people* in the invited group, quite differently *Nguyen's user does not supply the names of all of the people* who might attend the event. Rather, the user supplies only the names of potential *participants* invited to an event each of whom may, in turn, invite guests. Potential participants do not know each other or register each other. As disclosed, Nguyen's guests may be family members of the invited participants where, most likely, Nguyen's user may not even know the names of the family members. Applicants have amended all of its claims. The obviousness rejection based on the combination of Lip and Nguyen which is relied-upon in all of the rejections noted above should be withdrawn and the claims allowed.

In detail, consider, for example, claim 1 which is rejected under 35 U.S.C. §103(a), as being un-patentable over Lip in view of Nguyen. Claim 1 recites:

An inmate visitation system, comprising:

means for receiving a visitation request from an inmate for a plurality of potential visitors to attend the same visitation, each of said visitors being named in said request by said inmate;

means for sending from one of the plurality of potential visitors a registration request for each of the plurality of potential visitors based upon the received visitation request;

means for receiving registration information based upon the sent registration request;

means for determining whether the visitation request from the inmate is approved or disapproved; and

means for communicating the approval or disapproval of the visitation request.

(Claim 1) The Office Action (pg 3) alleges that Lip (paragraph 28) shows "means for receiving a visitation request from a person" but admits that Lip does not teach "means for receiving a visitation request from a person for a plurality of potential visitors to attend the same visitation."

(emphasis in original) The Office Action (pg 3) also admits that Lip does not teach “means for sending from one of the plurality of potential visitors a registration request for each of the plurality of potential visitors based upon the received visitation request.” Applicants agree with these admissions and with the other admission made in the Office Action on page 3.

To compensate for these admitted deficiencies in Lip, the Office Action (pg 3) first alleges that Nguyen, in its columns 12 and 13, teaches “means for receiving a visitation request from a person for a plurality of potential visitors to attend the same visitation.” Without acquiescing in that allegation, Applicants note that it is moot because Applicants have amended that claim element to recite: “means for receiving a visitation request from an inmate for a plurality of potential visitors to attend the same visitation, each of said visitors being named in said request by said inmate.” (Emphasis added) Nguyen does not teach or suggest this claim element for at least the following reasons.

Nguyen relates to event planning for events for people to attend, and more particularly to a system and method for automated enterprise event organization and management. (Nguyen, col. 1, lines 22-24) A user of the Nguyen system can access a website and use it to create an event page and a registration page and send them to a potential event participant requesting his/her registration information to confirm him/her for attendance at the event. In turn, the invited participant can invite his/her guests under certain conditions and within certain limitations. (Col. 1, line 61 - col. 2, line 26) The invitation can be made by the user to multiple participants who, in turn, can invite their respective multiple guests. (cols. 12-13) Thus, there are three different groups of people identified in Nguyen: *users*, *participants* and *guests*, where participants and/or guests are the only invited or registered groups of people attending the events in Nguyen. The user in Nguyen is, presumably, viewed by the Examiner as being analogous to

the recited “inmate” in Applicants’ claims since the user and the inmate can each initiate his/her respective invitation to attend a visit, either at the prison in the case of Applicants’ inmate or at the event in the case of Nguyen’s user. Consider three possibilities.

I. If “participants” are allegedly equivalent to “plurality of potential visitors”

In the first possibility, *arguendo*, if Nguyen’s participants are allegedly equivalent to Applicants’ recited “plurality of potential visitors” then Nguyen does not disclose or suggest the claim element: “means for sending from one of the plurality of potential visitors a registration request for each of the plurality of potential visitors based upon the received visitation request” as recited in claim 1. Indeed, Nguyen does not disclose or suggest in columns 12 and 13 or anywhere else that any one of its participants (a person invited to the event by a user of the Nguyen system who is organizing the event) would be in contact with any other *participant*, much less send a registration request for such other participant. This is not surprising because the context of Nguyen’s disclosure is such that these participants would not necessarily even know each other. For example consider the following passages in Nguyen:

The professional meetings and events industry in the U.S. is valued at over \$100 billion a year and is the 22nd largest contributor to the U.S. gross national product. In fact, for many organizations, events represent important customer interactions that are effective in acquiring, educating, and building loyalty among customers.

Currently, most events are managed as isolated projects in different departments and divisions. Most of the customer data gained from the events is not incorporated into companies’ customer knowledge bases. While events are an important part of companies’ sales and marketing programs, they are generally managed on a project-by-project bases, with little consistency in capturing metrics that integrate with other customer relationship management programs.

Further, event planning requires a great deal of legwork. Gathering a group of people together is a large part of planning the event itself. Dates need to be chosen, locations need to be selected, etc. An event communication tool is needed that increases visibility and attendance of events. Further needed is an event planning service that provides feedback and reports about event participants, revenue, etc.

(Nguyen, col. 1, lines 28-48) A user's customers, each being a participant at this event, need not have any prior knowledge of each other. Thus, one customer would not register another customer for this event. Indeed, Nguyen does not suggest otherwise. Therefore, if Nguyen's participants are viewed as being allegedly equivalent to Applicants recited "plurality of visitors" the combination of Lip and Nguyen does not disclose or suggest claim 1 because Lip admittedly does not disclose this claim element and Nguyen does not disclose or suggest this claim element for reasons given above. Therefore the combination of the two references cannot disclose or suggest claim 1.

II. If "guests" are allegedly equivalent to "plurality of potential visitors"

In the second possibility, *arguendo*, if Nguyen's guests are allegedly equivalent to Applicants' recited "plurality of potential visitors" then Nguyen does not disclose or suggest the claim element: "means for sending from one of the plurality of potential visitors a registration request for each of the plurality of potential visitors based upon the received visitation request" as recited in claim 1. Indeed, Nguyen does not disclose or suggest in columns 12 and 13 or anywhere else that any one of its guests (a person invited to the event by a participant who, in turn, is invited by Nguyen's user) would invite any other guest, much less send a registration request for such other guest. This is not surprising because the context of Nguyen's disclosure is such that these guests (a) may be known only to their respective participant (e.g., guests can be family members of the participant), (b) are not stated to have any authorization to invite other guests and (c) would not necessarily even know other guests outside of their immediate family. For example, consider the following passage in Nguyen:

The participant clicks on the register button to enter the registration page and views the registrant activities on the first page. At the end of the first page, a question may be presented asking if the participant wishes to add a guest. If the participant chooses yes, the Guest activity page will appear including activities defined as guest only or joint

participation. This process may repeat until the participant stops adding guests or when a limit, pre-defined by the user, is reached. The participant submits the choices and is presented with a page containing a summary of the participant's selections.

(Nguyen, col. 12, lines 53-62) Thus, the participant, and not the user, adds guests and submits the guests names, etc. Therefore, if Nguyen's guests are viewed as being allegedly equivalent to Applicants recited "plurality of visitors" the combination of Lip and Nguyen does not disclose or suggest claim 1 because Lip admittedly does not disclose this claim element and Nguyen does not disclose or suggest this claim element for reasons given above. Therefore the combination of the two references again cannot disclose or suggest claim 1.

III. If "participants and guests" are allegedly equivalent to "plurality of potential visitors"

In the third possibility, *arguendo*, if participants and guests together are viewed as being allegedly equivalent to Applicants' recited "plurality of potential visitors" this could be analyzed in two ways: (1) the user invites a participant and that participant, in turn, invites its guests (e.g., members of its family) and (2) the user invites a participant and, after the participant provides the names of the participant's invited guests, the user has direct contact with those guests as well as with the related participant. The first scenario may be described in Nguyen, columns 12-13, cited by the Examiner in the Office Action. The second scenario may possibly be suggested, at best, in Nguyen, column 15, lines 10-25, and is confronted head-on herein, *arguendo*, merely for sake of completeness and to dispose of it, realizing that Nguyen is probably not suggesting direct contact between user and participant-invited guests at all.

Consider the first scenario, and recall that Nguyen's user may be allegedly analogous to Applicants' inmate where both initiate their respective invitations. In this first instance, where Nguyen's participant takes action to register with the user and, if the participant so desires, also supply names of his/her guests (e.g., family members) to the user in the registration application,

the claim element: “means for receiving a visitation request from an inmate for a plurality of potential visitors to attend the same visitation, each of said visitors being named in said request by said inmate” (emphasis added) is not disclosed or suggested by Nguyen because the names of the guests in Nguyen are not being supplied by the *user*. Indeed, the guests are not named in the registration request forwarded by Nguyen’s user to the participant. Rather, the participant clearly knows the names of his/her own family members and supplies their names to the user. Therefore, in this first scenario, Nguyen does not read on claim 1.

Consider the second scenario where, presumably, Nguyen’s user may have had direct contact with a participant and that participant’s guests (after the user first receives the guests’ names from the participant). Viewing this scenario, *arguendo*, in a light most favorable to the rejection, the participant and those guests together are viewed as allegedly equivalent to Applicants’ recited “plurality of potential visitors.” In this instance, the claim element: “means for sending from one of the plurality of potential visitors a registration request for each of the plurality of potential visitors based upon the received visitation request” is not disclosed or suggested in Nguyen. First of all, each member of the plurality of potential visitors in this second scenario was registered at the time when the participant’s and its guests’ names were submitted to the user by the participant, so a redundant registration request shall not subsequently be made by the user of the participant or sent by the participant to the user. In addition, even if a registration request were, hypothetically, to be involved somehow, there is no disclosure or suggestion that one guest shall register another guest, or that a guest shall register its participant, or that the participant shall register a guest who had previously been registered when its name was submitted previously by the participant. Moreover, in this hypothetical, if the user is now in direct contact with the guest and, therefore, able to get information directly from

the guest, there would be no need to have such guest information relayed through the participant. Therefore, in this second scenario, Nguyen again does not read on claim 1. Applicants reiterate that Nguyen is probably not suggesting direct contact between user and participant-invited guests at all, but are addressing this issue for sake of completeness and to dispose of it.

Therefore, if Nguyen's participant and guests, taken together, are viewed from any conceivable angle as being allegedly equivalent to Applicants recited "plurality of visitors" the combination of Lip and Nguyen does not disclose or suggest claim 1 because Lip admittedly does not disclose either of the two claim elements discussed above while Nguyen also does not disclose or suggest at least one or the other of the two claim elements discussed above, depending on the scenario. Therefore the combination ² of the two references again cannot disclose or suggest claim 1. Accordingly, the 35 U.S.C. §103(a) rejection of claim 1 should be withdrawn and the claim allowed.

Independent claim 7 is rejected under 35 U.S.C. §103(a), as being un-patentable over Lip in view of Nguyen. Claim 7 recites, *inter alia*:

- "receiving a visitation request from an inmate for a plurality of potential visitors to attend the same visitation, each of said visitors being named in said request by said inmate" and
- "sending from one of the plurality of potential visitors a registration request for each of the plurality of potential visitors based upon the received visitation request"

and is allowable for the same reasons given above with respect to claim 1. Accordingly, the 35 U.S.C. §103(a) rejection of claim 7 should be withdrawn and the claim allowed.

Independent claim 13 is rejected under 35 U.S.C. §103(a) as being un-patentable over Lip in view of Nguyen and Williams. Claim 13 recites, *inter alia*:

² Applicants do not acquiesce in the combinability of Lip and Nguyen in the first place.

- “visitation registration program code for receiving a visitation request from an inmate for a plurality of potential visitors to attend the same visitation, each of said visitors being named in said request by said inmate” and for
- “automatically approving or disapproving a registration request for each of the plurality of potential visitors, the registration request sent from one of the plurality of potential visitors for each of the plurality of potential visitors based upon the visitation request...”

Lip and Nguyen do not disclose or suggest these limitations for reasons given above with respect to claim 1. Williams does not cure this deficiency of Lip and Nguyen. Accordingly the 35 U.S.C. §103(a) rejection of claim 13 should be withdrawn and the claim allowed.

Independent claim 18 is rejected under 35 U.S.C. §103(a) as being un-patentable over Nguyen in view of Lip and Williams. Claim 18 recites, *inter alia*:

- “receiving names of the plurality of potential visitors from the inmate along with a request to provide registration information of all said potential visitors in order to schedule the visit with the inmate, the request being received by one of the plurality of potential visitors” and
- “supplying the requested registration information to a sender of the request, the requested registration information being supplied by the one potential visitor about each one of the plurality of potential visitors.”

Nguyen and Lip do not disclose or suggest these limitations for reasons given above with respect to claim 1. Williams does not cure this deficiency of Nguyen and Lip. Accordingly the 35 U.S.C. §103(a) rejection of claim 18 should be withdrawn and the claim allowed.

Independent claim 20 is rejected under 35 U.S.C. §103(a) as being un-patentable over Nguyen in view of Lip and Williams. Claim 20 recites a method comprising, *inter alia*:

- “one of the plurality of potential visitors using the at least one visitor network interface to receive a request over the network from the at least one prison network interface, the request including names of the potential visitors supplied by said inmate and being made for registration information to schedule a visitation by the plurality of potential visitors with the inmate” and
- “the one potential visitor supplying the requested registration information to the at least one prison network interface about each one of the plurality of potential visitors.”

Nguyen and Lip do not disclose or suggest this limitation for reasons given above with respect to claim 1. Williams does not cure this deficiency of Nguyen and Lip. Accordingly the 35 U.S.C. §103(a) rejection of claim 20 should be withdrawn and the claim allowed.

Claims 2-6, dependent from claim 1, are allowable, at least for reasons based on their dependencies from allowable base claim 1.

Claims 8-12, dependent from claim 7, are allowable, at least for reasons based on their dependencies from allowable base claim 7.

Claims 14-17, dependent from claim 13, are allowable, at least for reasons based on their dependencies from allowable base claim 13.

Claim 19, dependent from claim 18, is allowable, at least for reasons based on its dependency from allowable base claim 18.

CONCLUSION

Reconsideration and allowance are respectfully requested in view of the foregoing amendments and remarks.³ All rejections have been addressed and have been overcome.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 07-2347 and please credit any excess fees to such deposit account.

Respectfully submitted,
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³ As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome these rejections. Applicants' silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine references, assertions as to dependent claims, etc.) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such assertions/requirements in the future.